



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2306429
Applicant Name : Melody McCutcheon Attorney for The Bertschi School
Address of Proposal: 2227 10th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a 12,550 square foot building containing parking, gymnasium and classrooms. 18 parking stalls are proposed to be provided below grade. A single family residence will be altered and converted to classrooms and administrative offices. Reconfigure play area. Existing multi-family structure to be demolished.

The following approvals are required:

Administrative Conditional Use - To expand an institution in a Lowrise 2 (L2) zone.
(Seattle Municipal Code Chapter 23.45.116 and 122)

SEPA - Environmental Determination (SMC Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject property is located at 2227 10th Avenue East within a Multi-family Lowrise 2 zone (L2). The remainder of the block abutting the proposal is Single Family (SF5000). There is no alley in this block. There are existing buildings and playgrounds on the site which house the current Bertschi School. The site is on an arterial street, 10th Avenue East. Zoning along 10th

Avenue is L2 and L3 zoning to the north and east, and Single Family (SF5000) zoning to the south for several blocks. The site is at the north end of Capitol Hill one and one half blocks east of the I-5 freeway and one and one-half blocks south of SR-520. The area is characterized by commercial and multifamily uses along 10th Avenue East as well as single family homes along 10th Avenue East. Single family zones extend to the east and west one-half block off of 10th Avenue East. The site slopes down to the north with the grade of 10th Avenue East. The site also slopes down to the east.

Proposal Description

The Bertschi School is a private school with kindergarten through fifth grades. The School campus presently consists of four buildings that have been converted to School use. One of those buildings is a former house that fronts on 10th Avenue East that is leased by the School. There are seven existing parking spaces on the campus: two in the existing garage accessed from East Lynn Street, and five spaces in a parking/drive-through area accessed from driveways on 10th Avenue East.

The School proposes to demolish the two multi-family buildings (15 units) on the corner of 10th Avenue East and East Lynn Street, known as the Reid Court Apartments. In their place, the School proposes to construct a new 12,550 square foot, parking, gymnasium and classroom building. At present, the only indoor exercise space is in a basement with columns interrupting the space. The new building would have dedicated art and music classroom space, as the School believes its current facilities for such classes are not adequate.

Institutions, such as schools, are a use permitted outright in multi-family zones per SMC 23.45.090, if all development standards are met. If the institution (school) does not meet development standards, as is the case here, then approval of an administrative conditional use is required per SMC 23.45.122. The proposed new gymnasium and classroom building meets all development standards, except for one. That one is the 90-foot limitation on building width provided for in SMC 23.45.094 A. The proposed building width would be 108 feet.

The proposed development also includes the addition of underground parking below the new building. This garage would have 18 parking spaces and would be accessed from East Boston Street. To enhance the flow of traffic through the existing drive-through area on the School's property along 10th Avenue East, four of the five existing parking spaces in that area would be eliminated and replaced in the garage. The one space that would remain in this area would be handicapped accessible. In addition, the two spaces in the existing garage accessed from East Lynn Street would be retained. Thus, a total of 21 spaces would be provided for the School, which is an increase of 14 spaces over current conditions.

The School's original proposal was to reconfigure the drive-through area and to relocate the handicapped parking space to the street side setback. Thus, the original project required approval of an administrative conditional use to allow the relocated handicapped stall in this setback. However, the project was revised to retain the current drive-through (other than eliminating four of the five existing parking spaces) and existing handicapped van stall.

Therefore, an administrative conditional use is no longer required for the handicapped parking space.

In addition to the new proposed building, the School also owns the existing single family dwelling at 2215 10th Avenue East and proposes to convert that dwelling into administrative space and a pre-kindergarten classroom for 18 students and two staff. In past years, the School has had a pre-kindergarten program, and use of this building would be a reinstatement of that program.

In terms of outdoor play space, the original proposal was for a new small activity court and playground on the western boundary of the site, and a new playfield oriented along 10th Avenue East. As originally proposed, the new activity court was to be a hard surfaced play area setback from the western property line by approximately 10 feet. SMC 23.45.096 D requires a 20-foot setback from abutting residentially zoned lots for outdoor play equipment and game courts. Given the setback as originally proposed, this development standard was not met and an administrative conditional use was sought to vary this standard. However, the project was subsequently revised to delete the hard-surfaced activity court within the setback area. As reflected on revised plans, the activity court has been replaced with a play area with artificial turf and rubber tile surfaces. In addition, there is no play equipment included within the required 20-foot setback area. Thus, the play area no longer requires an administrative conditional use.

The Bertschi School received a Master Use Permit (Project number 9000063) in 1990. There were Administrative Conditional Use conditions required for the life of the project. The conditions which relate to the building and ingress/egress still apply. The condition regarding the internal fencing and school use limitations no longer apply.

Public Comment

Many comment letters were received during the official public comment period, which ended June 23, 2004. Most comment letters focused on traffic and parking in the neighborhood. School related traffic and parking occurs for events, daily pick up and drop off of students and by school employees who may park in the area during their work day. Comments also pointed out safety concerns of jay walkers, metro bus drop off and pick up and intersections that may get blocked from a queue of cars waiting to use the drop off. Other letters pointed out noise concerns for the neighbors who live just to the west of the school on the same block. Another comment letter pointed out that light and glare must be controlled and kept on the property. A few comments pointed out that, in as much as possible, the residential feel of the neighborhood should be considered in any conditional use or relief to development standards contemplated in the proposed design. A summary of the breadth of comments follows. These comments were made at a meeting requested by the community and held on September 9, 2004.

At the September 9, 2004 meeting, citizen's comments included the following topics:

- This is a favorable addition to the neighborhood architecture; the underground parking is a good idea. The increase in the bulk and "look" of the corner of 10th and East Boston is favorable.

- Property values are going to go down because of the increase size of this school in the area. Peak hour traffic is too much with the school and the neighborhood moving at the same time.
- The school is trying to be considerate of neighbors. The landscaping is good screening and should be retained as shown in the plans.
- Non-profit status of the school will cause the neighborhood to bear a greater burden of taxes. The expanded school exacerbates the situation.
- Too much residential use is being lost to institution expansions. East Boston has too heavy traffic. School generates too much traffic. Do not destroy the apartments for this expansion, they are historically significant. Losing the apartments will destroy the residential character and historic attractiveness of the area. The proposed scale of the building is too large.
- Due to the private vehicle drop off and pick up the CO2 emissions from cars is an adverse environmental impact.
- Keep the existing cottage scale development. The proposed design should fit in better.
- The biggest issues are traffic and parking. Noise of the traffic and noise of children is also an impact. There is not much safety for all users especially pedestrians on 10th avenue or smaller side streets. Commenter would like the department to require an Environmental Impact Statement for the above impacts. All impacts need to have more study.
- There should be a limit to student enrollment at Bertschi School.
- The school atmosphere for teachers and staff makes it a fine place to teach and work.
- Both Bertschi School and Seattle Prep have a parent problem. The students are respectful. Bertschi is a good school. The proposal is for children and a good thing. We need to solve the rest which is getting the parents to school with the children in a way that works for everyone.
- The proposal is good. There are not large buildings. The buildings are well-proportioned. They are beautifully designed. There are sustainable design features. This school is a gift to the community, due to its good educational philosophy.
- 10th Avenue is a problem street due to its heavy volume. The expansion of Bertschi is the issue which will make 10th Avenue even worse. The community needs better bus transportation along this route.
- There are impacts to the neighboring property owners: Increased noise, increased traffic, increased demand on parking in the area, decrease in property values. How big will this school get? I would like an ombudsman-type mediator/facilitator to work with neighborhood and the school on the new proposal to come to agreement on noise abatement and parking solutions. I would like Bertschi School to agree to not take the rest of the block for future school use. This needs to be the limit of growth in this neighborhood.
- Speaker is supportive of school expansion and views this as a responsible expansion. Traffic on 10 will be bad with or without the project.
- School project is good for neighborhood. Traffic and parking demand is reduced with the project.
- There has been a traffic problem in this area since 1980. Seattle Prep caused more traffic on 10th Avenue. Metro bus service is not as good as it once was.

- Need to explore more traffic management devices. Explore the issues and solutions together.
- Bertschi School needs to use a school bus. Neighbors would like increased communication with the school.
- There is a cumulative impact of the nearby institutions. Streets are in disrepair. SDOT needs to repair them.
- Please increase parking in the proposal to have on-site parking for all the teachers, staff and volunteers. Redesign for more parking and add a 2nd drop off area.
- Retain the Reid-Court Apartments. Promote mixed type of neighborhood by retaining small apartments for rent.
- Parking in this area is very bad. Traffic intersections are at level of service F. Noise needs to be mitigated for neighbors.
- Use Saint Marks or other for student transfer point. Students would board a bus which would deliver them to Bertschi School.
- Bertschi is policing the parents so they park and drop off following parking and traffic rules.
- Additional comments were received during the course of the project review. Many comments were supportive of the project and others opposed.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS
(SMC 23.45.116)

A. Only those uses identified in this subchapter as conditional uses may be authorized as conditional uses in multifamily zones. The master use permit process shall be used to authorize these uses.

The Land Use Code allows schools as a use permitted outright if the proposal meets all development standards. (SMC 23.45.004A7) When the school does not meet all development standards then it is allowed through the Administrative Conditional Use approval process.

B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.

This proposal is subject to development standards SMC 23.45.002 through 23.45.018.

C. The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

This decision shall be based on whether the proposed use meets the development criteria and conditional use criteria as described in SMC 23.45.122 A through D. A school has operated at the neighboring location since 1976. The City recognizes the public benefit that institutions, such as these have made by providing educational and cultural opportunities to their

communities. The criteria for establishing this expansion shall be examined, and the project will be conditioned to attempt to mitigate any detriment or injury to property in the vicinity.

D. In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

The criteria described in SMC 23.45.122 A through D is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.

E. The Director shall issue written findings of fact and conclusions to support the Director's decision.

Findings and conclusions are enumerated in the following analysis.

F. Any authorized conditional use which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:

- 1. A permit to change the use of the property has been issued and the new use has been established; or*
- 2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.*

The use remains the same at this site and has not been discontinued.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.45.122)

The Seattle Land Use Code (SMC 23.45.122) provides that institutions such as schools may be permitted as conditional uses in Lowrise zones. Sections 23.45.122 A through D set forth criteria to be used to evaluate and/or condition the proposal. The applicable criteria are discussed below.

SMC 23.45.122 Institutions other than public schools not meeting development standards.

Institutions other than public schools which do not meet development standards established in Section 23.45.090 may be permitted in multifamily zones as administrative conditional uses. The following criteria shall be used to evaluate and/or condition the proposals:

Institutions meeting all development standards are allowed in the Lowrise zones. This proposal does not meet all development standards and so must be reviewed under SMC 23.45.122. The proposed width of the East Boston Street façade is wider than code allowed. The Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary.

A. Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and structure width, depth and setbacks. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

The proposal is for a gymnasium and classroom building with underground parking, play areas and renovated single family house. The gymnasium building is located at the south end of the site along East Boston Street with open playfields sited between the renovated house and the new gymnasium. The new building and play areas could be sited differently, but the underground garage access works with the site slope best at this location. Locating the garage access on East Boston Street is a preferable solution to locating it on 10th Avenue East which could interfere with arterial traffic. The building could be sited along the west side of the site which would put the playgrounds along 10th avenue. This solution would site the bulk of the new building along more of the single family zone property lines and could create a greater sense of bulk from those residences.

The current siting seems to be an appropriate solution for the proposal program due to garage access at the low side of the slope and appearance of bulk. The building meets development standards for height. The proposal is for a building 18.5 feet wider than the code allows. It is designed to appear as three sections of building all of which are below the height limit. The sections are approximately 21, 16 and 24 feet high. The three sections are modulated with a minimum modulation depth of 4 feet. Full landscaping is proposed along this façade. The additional 18.5 feet will allow the school to achieve its program desires of increased parking, gymnasium, art and music classrooms and outdoor play areas. The architectural and landscape features of the increased façade width (a façade of three sections, varied heights, varied materials, full landscaping) satisfy the mitigation elements needed to consider the increased width and will be a condition of this proposal. The required yard setbacks are being met.

B. Dispersion Criteria. An institution which does not meet the dispersion criteria of Section 23.45.102 may be permitted by the Director upon determination that it would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.

The proposal meets the dispersion criteria.

C. Noise. The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, or parking development standards, design modification and fixing of hours for use of areas.

The proposed institutional expansion in the Lowrise zone is not expected to generate significant increased noise and odors. None of the activities proposed as part of the typical, non-emergency use of the site will exceed the maximum permissible sound levels as established and modified in

the SMC Chapter 25.08. The applicant provided an Acoustical Report by SSA Acoustics. The document is available for public perusal in the public file. Existing sound levels were measured during the day on Wednesday, October 27, 2004. The existing noise environment at the proposed site is primarily the result of vehicular traffic along the various side streets. While traffic noise is not subject to the city of Seattle noise limit the comparison is relevant in the evaluation of potential noise impacts from the proposed project. The ambient sound level during typical daytime traffic was 54 to 58 dBA at various locations around the school depending on the proximity and amount of traffic.

The Director asked that the acoustical consultants study the proposed noise generators (air handling units and exhaust fans) to be located on or around the building. The consultants predicted the equipment noise received at the neighboring property lines. The closest neighboring properties are the residential properties to the west. Several fans are expected to be located on the new building roof top. One fan labeled RTU-3 in the acoustical report is expected to exceed the 47 dBA ("A" weighted decibels) between the receiving property and the fan. The proper reduction in dBA can be achieved by adding 2 layer of ¾-inch plywood. The plywood will act as an effective barrier to noise. The plywood installation and details of installation will be a condition of this project to be maintained for the life of the project.

Increased parking on site is proposed at an underground garage. A new six (6) foot wood fence is proposed along the west property line. The fence will be designed and constructed per the direction of the Acoustical Engineer and will include solid plywood panels and solid treated timber blocking at grade. The school does not have, nor does it plan to add any exterior loud speaker or bell system other than as required by Fire and Life Safety codes.

Outdoor play areas are located on the site. The play areas will be used intermittently during the day. The school closes at approximately 3:30 p.m. with some after school programs until 6:00 p.m. There will be no evening play area activities unless it is a special occasion open house or special event. Trash and recycling storage will be screened in the parking area.

D. Transportation Plan.

1. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area and/or required to provide twenty (20) or more parking spaces.

A transportation plan has been submitted by The Bertschi School and reviewed in this analysis.

2. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Consideration of the following elements and other similar factors may be required:

a. Traffic. Number of staff during normal working hours; users, guests and others regularly associated with the institution; level of vehicular traffic generated; traffic peaking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types and number of vehicles associated with the use; and mitigating measures to be taken by the applicant;

Traffic and parking analysis was submitted for the Bertschi School by Heffron Transportation, Inc. The analysis is on file in the public file for review. The school currently generates approximately 752 vehicle trips per day with a peak of about 284 trips in the AM peak hour. Because the proposed project would remove an apartment building, the daily and PM peak hours site-generated trips would be less with the project than with the existing condition. Traffic during the AM peak hour and the School PL peak hour would be slightly greater with the project than under existing conditions. The proposed development could increase AM peak hour school-generated trips by 15, and the School PM peak hour school-generated trips by 22. The increases in trips during the AM and School PM peak hours are not expected to adversely impact operation on nearby roadways or adjacent intersections.

b. Parking Area. Number of spaces; extent of screening from public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; prevailing direction of exhaust fumes; location of driveway and curb cuts; accessibility and convenience of the parking area; and mitigating measures to be taken by the applicant, such as parking space preferences for carpool or vanpool vehicles and provisions for bicycle racks;

The project will retain the two (2) surface parking spaces accessed off of East Lynne Street. One (1) accessible space will be accessed off of 10th Avenue. The proposal will add 18 more spaces in an underground garage. These spaces will be available for staff. Lights in the garage will be shielded so they do not cause glare to the residents across East Boston Street.

c. Parking Overflow. Number of vehicles expected to park in the street; percentage of on-street parking supply to be used by the proposed use; opportunities available to share existing parking areas; trends in local area development and mitigating measures to be taken by the applicant;

The Bertschi School currently generates a peak parking demand of 40 vehicles on an average day. In the future, with the project, the peak parking demand on an average day could increase to 42 vehicles due to the proposed increase in faculty. Approximately 32 faculty/staff and two (2) visitors currently park in on-street spaces on an average day. The net increase of 14 on-site parking spaces (18 in the underground parking minus 4 relocated from surface parking) would reduce the school's demand for approximately 20 on-street parking spaces in the future with the project during the early afternoon and peak mid-afternoon time periods. There are approximately 10 vehicles parking on street on weekday evenings associated with the existing apartment building that would be removed with the proposed project. This would reduce the site's demand for parking during the evening time period.

Bertschi School has approximately 10 special events each year which may generate 40 to 135 vehicles depending on the size of the event. If special events occur more often, they are not expected to increase in size with the new project. The additional on-site parking will be used to off set the off-street parking demand. During the 2004-2005 school year, the school began implementing a plan to reduce parking overflow in the neighborhood for Large School Events (defined in the Bertschi School Transportation Management Plan as those events with a projected total attendance of 150 or more adults). The school's off-site parking plan for such events is to rent parking spaces within a half-mile radius of the school and hire buses for shuttling attendees between the school and the off-site parking location. To date, in connection with such events the

school has rented spaces at St. Mark's Episcopal Cathedral at 1245 10th Avenue East (the church has surplus parking and a regular rental program) or at St. Patrick's Church at 2702 Broadway Avenue East. The school has a regular account with First Choice Busing and hires one to four buses for events, depending on the nature of the event. Notification of the event and of the policy to utilize off-site parking is provided through the following notices and communications: weekly newsletter to families, the school's website, admissions materials and "reminder" postcards, e-mail communication newsletter to families, sign board on school grounds, and verbal communications.

d. Safety. Number of driveways which cross pedestrian walkways; location of passenger loading areas;

One additional driveway is generated by the project at the new underground garage.

e. Availability of Mass Transportation. Bus route location and frequency of service; private transportation programs, including carpools and vanpools, to be provided by the applicant.

Metro Bus route 7 serves this site. Bus service is approximately every half hour to every 10 minutes during peak hour trip times.

3. The Director may condition a permit to mitigate potential traffic and parking problems. Measures which may be used by the Director for this purpose include, but are not limited to, the following:

a. Implementing the institution's transportation plan to encourage use of public or private mass transit;

b. Increasing on-site parking or loading space requirements to reduce overflow of vehicles into the on-street parking supply;

c. Changing access and location of parking;

d. Decreasing on-site parking or loading space requirements, if the applicant can demonstrate that less than the required amount of parking is necessary due to the specific features of the institution or the activities and programs it offers. In such cases, the applicant shall enter into an agreement with the Director, specifying the amount of parking required and linking the parking reduction to the features of the institution which justify the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.

The number of trips and parked vehicles generated by this site could increase in the future with the project; however, trips and on-street parking demand associated with the existing house and apartment building that would be removed with this project would no longer occur. On-street long-term parking utilization is expected to decrease for all analysis time periods due to the addition of on-site parking and the removal of the apartment's on-street parking demand. Since the overall traffic conditions near the school are not expected to be degraded and on-street parking conditions are expected to be improved with the proposed project, no transportation mitigation is suggested to accommodate the proposed Bertschi School project. However the Bertschi School is continuing to work with neighbors to address existing school-related transportation issues within the neighborhood and offers a transportation plan which should help

educated school patrons on school transportation policies. The project has been conditioned to ensure that proposed traffic and parking measures are in place.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **APPROVED WITH CONDITIONS** as indicated at the end of this document.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the revised and annotated environmental checklist dated November 9, 2004 and supplemental information in the project file. This information, along with the experience of the lead agency in similar situations, form the basis for this analysis and decision. No long-term impacts are anticipated from this proposal. Short-term impacts are discussed below.

The SEPA Overview Policy (SMC 25.05.665.D) states *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm Water, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulate during construction; potential soil erosion during grading, excavation and general site work; increased run-off; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts are adverse.

Construction noise may be adverse enough to warrant mitigation. The proximity of residential uses is such that the limitations of the Noise Ordinance would be inadequate to mitigate potential

noise impacts. Pursuant to SEPA policies in SMC Section 25.05.675.B, the hours of construction, including excavation, foundation installation and framing activity shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. Some extra-ordinary activities may require work outside these hours, such as occasional Sunday and evening work. If such work is planned, a request should be submitted in writing along with a proposed construction noise mitigation plan to the DPD Planner (Holly Godard 206-615-1254) and should be requested prior to each occurrence. Even if additional construction work hours are approved, work at all hours must comply with the Seattle Noise Ordinance.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. Pursuant to SEPA policies in SMC Section 25.05.675.B, the hours of construction, including excavation, foundation installation and framing activity shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. Some extra-ordinary activities may require work outside these hours, such as occasional Sunday and evening work. If such work is planned, a request should be submitted in writing along with a proposed construction noise mitigation plan to the DPD Planner (Holly Godard 206-615-1254) and should be requested prior to each occurrence. Even if additional construction work hours are approved, work at all hours must comply with the Seattle Noise Ordinance

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

For the Life of the Project

1. A transit information center will be established on site to encourage patrons and employees to use transit alternatives. This should include Metro Bus information, Carpool information, staff contact, schedules, contact information, parking information, special event parking and transportation, and include description of any cost savings or subsidies provided by Bertschi.
2. The school shall designate a staff person as the Institution Transportation Coordinator. Such person shall have the duty of encouraging and facilitating carpool and other transportation plan requirements, maintaining the transit information center, creating carpool and transit use documentation for dispersal. The Coordinator shall develop and manage a carpool and/or vanpool program with the objective of reducing single occupancy trips to and from the School.
3. The owner(s) and / or responsible party(s) shall maintain and replace all on-site landscaping as shown on the plans approved by the Land Use Planner. The landscaping shall be installed with the full variety of plants listed in the MUP plans. The landscaping shall remain well-kept and fully installed for the life of the project. Landscape areas in the public right of way shall be landscaped to match property landscaping. Contact Seattle Department of Transportation, Street Use Section, to have right of way work approved.
4. The façade along East Boston Street shall retain the variation in materials, modulation, and height as depicted in the approved plans.
5. Bertschi shall extend the official drop-off time during the AM peak hour from 15 minutes to at least 30 minutes prior to commencement of classes (e.g., the extended official drop-off time for the 2004-2005 school year will run, at a minimum, from 8:00 am to 8:30 am). Bertschi shall encourage the drop off of its enrolled students on an even staggered basis over the 30 minute drop off period identified herein.
6. During the official drop-off time during the AM peak hour, Bertschi shall station at least 2 attendants at the drop-off zone to facilitate the orderly, safe and efficient unloading of students. Bertschi shall provide a traffic monitor for the pick-up period during the PM peak hour to facilitate appropriate traffic management. The monitor could be an off-duty police officer.
7. Bertschi shall advise Bertschi commuters that left hand turns from 10th Avenue East into Bertschi's drop-off zone and left hand turns onto 10th Avenue East from the Bertschi drop-off zone are strictly prohibited. Bertschi shall discourage the use of East Lynn Street between Broadway East and 10th Avenue East by Bertschi commuters attempting to access the drop-off zone. Bertschi shall remind Bertschi commuters that it is illegal and/or discourteous to block intersections such as the intersection between 10th Avenue East and East Lynn Street while waiting in queue for the drop off zone.

8. Bertschi shall include in parent orientation meetings and materials all requirements and procedures regarding drop off and pick up of students as well as procedures related to parking for large school events, i.e. those events with a projected total attendance of 150 or more adults (defined as "Large School Events").
9. Bertschi shall review the above traffic requirements and parking procedures with parents and/or care givers of its students on a regular basis, advising such parents that Bertschi is committed to being a good neighbor and their assistance is required.
10. Bertschi shall make good faith and diligent efforts to inform visitors and volunteers of its traffic and parking management policies described herein.
11. Starting with the 2005-2006 school year, Bertschi shall internally conduct and prepare an annual survey of commuter and parking patterns of Bertschi Commuters. For instance, the report could include the number of carpools/vanpools formed and functioning; the number of transit passes used by employees and/or volunteers at the School and other information to show commuter and parking patterns.
12. Bertschi shall revise the Transportation Plan to include elements that seek to maximize use of its increased onsite parking to the extent it reduces spillover parking off-site.
13. Bertschi shall provide notification to neighbors of all large school events. Such notification may be made through an annual school calendar distributed to neighbors on or around the commencement of the school year, with Bertschi providing additional advance notices to neighbors if there are any changes in dates or times of school events or if any new school events are scheduled. Bertschi will continue the large event parking and bus shuttle program. The "neighbors" shall be determined by The Bertschi School and shall be delimited on a map to be included with the Bertschi Transportation Management Plan.
14. Bertschi's website shall include a readily accessible school calendar including standard hours of operation, dates of operation and school holidays, large school events, and predetermined dates of early or late start or dismissal.
15. The Bertschi School shall retain at least one parking space accessed by the drop off drive through.
16. A rooftop noise barrier for air handling and HVAC to be built to specifications of the acoustical engineer
17. The six (6) foot fence on west property edge is to be kept in good condition and built to specification of the acoustical engineer.

Signature: (signature on file) Date: March 3, 2005
Holly J. Godard, Land Use Planner
Department of Planning and Development